

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>KEVIN PAUL PENO,</b>	:	<b>No. 1:19cv2082</b>
<b>Petitioner</b>	:	
	:	<b>(Judge Munley)</b>
<b>v.</b>	:	
	:	<b>(Magistrate Judge Schwab)</b>
<b>MARK GARMAN, SUPT.,</b>	:	
<b>Respondent</b>	:	

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**ORDER**

**AND NOW**, to wit, this 27th day of December 2023, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** as follows:

- 1) Petitioner Kevin Paul Peno's partial objection (Doc. 47) is **OVERRULED**;
- 2) The report and recommendation of Magistrate Judge Susan E. Schwab (Doc. 40) is **ADOPTED**;
- 3) The petition for writ of habeas corpus (Doc. 1) is **DENIED**;
- 4) No certificate of appealability will be issued; and
- 5) The Clerk of Court is directed to close this case.

**BY THE COURT**

s/ Julia K. Munley  
**JUDGE JULIA K. MUNLEY**  
**United States District Court**